

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

STATE NATIONAL INSURANCE)
COMPANY, INC. and ALLEGHENY)
CASUALTY COMPANY,)

Case No.: 2:18-cv-00687-GMN-EJY

Plaintiff,)

ORDER

vs.)

DIVERSIFIED CONCRETE CUTTING,)
INC., a Nevada Corporation; MERCURIO)
EQUIPMENT, LTD., a Nevada Limited)
Liability Company; DEMO-TECH, LTD., a)
Nevada Limited Liability Company; BRANDT)
CHILDREN’S TRUST, a trust created by and)
for Individuals residing in the State of Nevada;)
KENNETH M. MERCURIO, an Individual;)
DOES I THROUGH X, Inclusive; ROE)
CORPORATIONS I THROUGH X, Inclusive,)

Defendants.)

Pending before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Elayna Youchah, (ECF No. 22), which recommends that Plaintiffs’ Motion for Default Judgment be denied without prejudice. The R&R also recommends that Plaintiffs refile the Motion for Entry of Default Judgment and serve it upon each Defendant. (R&R 7:13–14).

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo determination of those portions to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). Where a party fails to object, however, the Court is

1 not required to conduct “any review at all . . . of any issue that is not the subject of an
2 objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized
3 that a district court is not required to review a magistrate judge’s report and recommendation
4 where no objections have been filed. *See, e.g., United States v. Reyna–Tapia*, 328 F.3d 1114,
5 1122 (9th Cir. 2003).

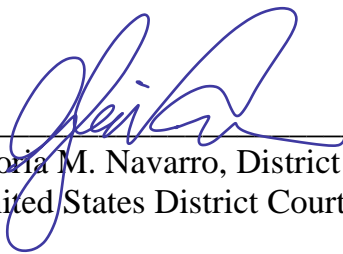
6 Here, no objections were filed, and the deadline to do so, December 24, 2020, has
7 passed. (*See* Report and Recommendation, ECF No. 22).

8 Accordingly,

9 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 22), is
10 **ACCEPTED AND ADOPTED in full.**

11 **IT IS FURTHER ORDERED** that the Motion for Default Judgment, (ECF No. 21) is
12 **DISMISSED without prejudice.**¹

13 **DATED** this 20 day of January, 2021.

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17 _____
18 Gloria M. Navarro, District Judge
19 United States District Court
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¹ The Court notes that Plaintiffs have already complied with the R&R by renewing their Motion for Default Judgment, (ECF No. 23), and serving it upon Defendants, (ECF No. 24).